

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kenji SASAKI et al. **Confirmation No: 5026**
Appl. No. : 10/539,756 Group Art Unit: 1615
(National Stage of PCT/JP2003/016362)
I. A. Filed : December 19, 2003 Examiner: Anne M. Gussow
For : METHOD FOR PROTECTING THIOL GROUP OF PROTEIN

TERMINAL DISCLAIMER

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Recordation Services
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Your petitioner, Mitsubishi Tanabe Pharma Corporation, having a business address of 2-10, Dosho-Machi 3-Chome, Chuo-Ku, Osaka-Shi, Osaka, Japan, represents that it is the owner of record of the entire right, title, and interest of the above-identified application by virtue of an assignment from the inventors to Mitsubishi Pharma Corporation, recorded in the U.S. Patent and Trademark Office on April 14, 2006, at Reel 017789, Frame 0627, for U.S. Application No. 10/539,756 for "METHOD FOR PROTECTING THIOL GROUP OF PROTEIN," and a change of name from Mitsubishi Pharma Corporation to Mitsubishi Tanabe Pharma Corporation, recorded in the U.S. Patent and Trademark Office on April 17, 2008, at Reel 020838, Frame 0701.

Your petitioner, Mitsubishi Tanabe Pharma Corporation, further represents that it is the owner of record of the entire right, title, and interest of the above-identified application by virtue of an assignment from the inventors to Mitsubishi Pharma Corporation, recorded in the U.S. Patent and Trademark Office on January 5, 2005, at Reel 016125, Frame 0634, for U.S.

Application No. 10/497,516 for "METHOD OF ACTIVATING PROTEIN," and a change of name from Mitsubishi Pharma Corporation to Mitsubishi Tanabe Pharma Corporation, recorded in the U.S. Patent and Trademark Office on April 17, 2008, at Reel 020838, Frame 0701.

The undersigned representative is authorized to act on behalf of the assignee, and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee.

Your petitioner, Mitsubishi Tanabe Pharma Corporation, hereby disclaims, except as provided below, the terminal part of any patent granted on U.S. Patent Application No. 10/539,756 which would extend beyond the expiration date of any patent that issued from U.S. Patent Application No. 10/497,516, and hereby agrees that any patent so granted on U.S. Patent Application No. 10/539,756 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent so granted on U.S. Patent Application No. 10/497,516, this agreement to run with any patent granted on U.S. Patent Application No. 10/539,756 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application No. 10/539,756 prior to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of any patent granted on a patent granted on U.S. Patent Application No. 10/497,516 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are

punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Mitsubishi Tanabe Pharma Corporation

By _____
Name

Title

_____, 2009